

Bond Case Briefs

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MUNICIPAL ORDINANCE - WASHINGTON

Cannabis Action Coalition v. City of Kent

Court of Appeals of Washington, Division 1 - March 31, 2014 - P.3d - 2014 WL 1284870

Interest group brought declaratory judgment action challenging validity of city zoning ordinance prohibiting medical marijuana “collective gardens.” The Superior Court dismissed claims. Plaintiffs appealed.

The Court of Appeal held that:

- Amendments to Medical Use of Cannabis Act (MUCA) did not legalize medical marijuana or collective gardens;
- Governor’s veto message was the sole source of relevant legislative history to be considered in interpreting amendments that were enacted following sectional veto;
- Cities were authorized to enact zoning requirements to regulate or exclude collective gardens; and
- Ordinance did not conflict with state law.